

Written Testimony by Raylene Truxton supporting HB 3303

I am Raylene Truxton, SE Regional Director for the Texas Inmate Families Association and I am testifying in support of HB 3303. I represent thousands of family members from all over the state of Texas who have a loved one incarcerated in TDCJ. On a daily basis TIFA receives mail pleading for help concerning the deplorable circumstances and conditions within TDCJ which are major concerns for family members. These issues are the number one concern at all 18 monthly, TIFA Chapter meetings. We have seen these same issues since the conception of TIFA twenty years ago. Implementing the Office of the Independent Oversight Ombudsman for the Texas Department of Criminal Justice is one of the solutions needed to prevent major atrocities from taking place in the future. The following are just a miniscule representation of the thousands of concerns our families deal with constantly.

Email from Joy, a mother who has a son incarcerated at the Ferguson Unit.

My son is incarcerated at Ferguson Unit. I have forwarded letters to the TDCJ Ombudsman about the prisoners not having cool water (it has no a/c). I have also written them about safety issues because many officers seem to lack adequate training with regard to emergency situations which require prompt understanding that there is a problem first of all, and then being able to get help quickly. An extremely urgent concern is that my son tells me the issues with trash, rodents and roaches are deplorable. When Huntsville is sending inspectors it is known ahead of time and the unit is cleaned. When they leave, trash piles up for some time and causes health issues on the block as well as the chow hall. He has asked how the inmates can handle this and how they should word a "petition" to resolve this. He believes an agency must come in unannounced in order to see the extent of the problem. Please forward information on the correct way to go about this. To date, whenever I have contacted the Ombudsman, they go with whatever officers or warden states as "truth". Please help. Thank you, Joy

The next letter is the response to allegations that three guards were repeatedly beating up inmates over a long period of time. The Ombudsman's office provided me with the following findings:

Dear Ms.Truxton:

This message is in reply to your email concerning the Ferguson Unit employees. We received it in the TDCJ Ombudsman Office on May 28, 2013.

According to unit records, two of the staff members identified in your letter were involved in a major use of force after an Hispanic offender assaulted and seriously injured staff on May 10, 2013. The third staff member named in your letter did not work that day. There is no documentation of injury to the offender.

In accordance with agency policy, these types of incidents are thoroughly reviewed at multiple levels to ensure no violations of policy or procedure have occurred. Policy requires that any offender involved in a use of force incident be provided the opportunity to complete a written statement and receive a physical examination following the event. The offender's statement and the results of the examination, as well as witness statements from other offenders and staff, are all made a part of the UOF Report. Use of force investigations are considered confidential and not releasable to the general public. Rest assured that all aspects of any UOF incident are closely examined. Should any violations be substantiated, appropriate action is taken.

Even though I appreciate this investigation, I have no idea what the extent of investigation was and if there were any reprimands made because "Use of force investigations are considered confidential and not released to the general public".

The number of 'Use of Force' incidents (physical, emotional and mental) have risen over the years according to TDCJ statistics. Most of the time force is said to be used in confrontational situations where inmates refuse to cooperate with orders. These confrontational situations arise from anything from an illness to changes in rules or regulations that have not been distributed to offenders. These incidents also result when officers are understaffed and under trained. And there are even times when language becomes a barrier. A neutral party can identify and offer solutions. It's important that prisons be monitored in order to be proactive to these types of situations.

Abuse, neglect, and under-resourced programs can occur at any institution at any time, and that's why there should be independent oversight at all hospitals, schools and prisons where the health and welfare of defenseless populations are at the mercy of their caretakers. We need to be proactive before conditions deteriorate to deplorable levels that need the attention of our court system. I urge you to remember the Bible scripture you mentioned when this session first began Chairman Murphy, Hebrews 13:3 Don't forget about those in prison. Suffer with them as though you were there yourself. I represent the grandparents, mothers, fathers, sisters, brothers, aunts, uncles and children who have loved ones who need to be treated as human beings. Independent Oversight will enable families the transparency needed to give us peace in knowing that our loved ones are safe.